

**JUSTIFICATION AND APPROVAL  
FOR OTHER THAN FULL AND OPEN COMPETITION, PRICE  
JUSTIFICATION**

**ACQUISITION OF RENTAL VEHICLE AND DRIVER SERVICES IN SUPPORT  
OF FLOTUS AND POTENTIAL POTUS TRAVEL  
September 30-October 3, 2009**

1. Post was notified the last week of August, that in support of Chicago's bid to host for the 2016 Olympic Games, it can expect a FLOTUS visit in less than a month. Two weeks later, we were told to prepare for a POTUS visit as well. Due to this short notice, and heavy vehicle requirements of the two simultaneous visits to Copenhagen, post needed to rent vehicles and drivers from Copenhagen Limousine Service for the amount of \$212,449.00 in support of the visit/s without full and open competition. The reasons are stated below:

2. A description of the supplies or services required to meet the agency's needs.

All participating agencies (Secret Service, White House Communications Agency and advance teams) requested vehicles to support the upcoming FLOTUS and potential POTUS visit. Four different companies were approached by the Embassy's procurement staff as they are the only ones that have a large enough number of vehicles and English speaking drivers to fulfill at least part of the requested vehicle requirements. Although there are many other car rental companies in the greater Copenhagen area the availability of rental vehicles and drivers is currently very restricted as the delegations of the other countries bidding for the chance to host the 2016 Olympic Games are competing for the same resources. In addition, post did not have adequate time to prepare for this high level visit as the announcement of the FLOTUS was not made until two weeks before the event.

3. An identification of the statutory authority permitting other than full and open competition.

[x] 41 U.S.C. 253 (c) (2), FAR 6.302-2; Unusual and Compelling Urgency;  
(Based on the available time and urgency of the requirement as detailed below)

Security concerns prohibit sufficient advanced notification of VIP travel to allow for sufficient time to conduct full and open competition. The Department of State Presidential Travel Office can only communicate with the staff at Posts abroad when authorization is given from the White House and the National Security Council. They have an extremely short turnaround time when authorization has been granted for negotiations to commence and site selections to be finalized with both the local vendors and Posts before the actual Presidential visit occurs.

Many of the arrangements for hotel and transportation are often not confirmed until just before the actual visit. In addition, to supporting a large delegation within a short time frame, last minute and frequent changes of itineraries for supporting personnel often result in significant changes in how Posts work with the vendors. With the exception of few trips, contracts are not permitted to be signed until the Presidential Travel office has written confirmation from all White House supporting agencies, which enables collection of funds from said agencies in the event of cancellation. This results in an unusual and compelling urgency in accordance with 41 U.S.C. 253 (c) (2), FAR 6.302-2

[] 41 U.S.C 253 (c ) (1), FAR 6-302-1; Only One Responsible Source and No Other Supplies or Services will Satisfy Agency Requirements; (Based on limitations to competition because of unique security and other requirements detailed below)

Procurement actions are limited to a single vendor due to stringent security requirements imposed on a Presidential visit. The White House security and logistical teams make determinations during the site survey as to which rental vehicles are most suitable for the President and his traveling staff

These unique Presidential travel requirements result in only a single or a very limited number of responsible sources with no other supplies or services capable of satisfying agency requirement in accordance with 41 U.S.C. 253 (c ) (1), Far 6.203-1.

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.

Security and logistics are the Department of State's primary considerations when procuring rental vehicle and driver services . The Department of State must be able to provide safe and secure transportation for VIP visitors. Frequently VIP visits are not announced or confirmed in sufficient time to conduct a competition, creating an urgent and compelling need. At other times, the security requirements and/or requirements of the host country government limit the acquisition to one or a small number of predetermined vendors.

[x ] The VIP visit information was not available in sufficient time thereby creating an urgent and compelling need.

[x] The proposed contractor has the following unique qualifications which meet the Department of State's security and logistical requirements.

- [x] Location (located in the Copenhagen area and therefore able to provide back-up rental vehicles and drivers at short notice in case of a break down or other emergency).
- [x] Sufficient number of English speaking drivers
- [x] Communications (cell phones for each driver and a dispatch agent to supply back-up rental vehicles and drivers at short notice in case of need)

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable.

Post is using three other car and driver rental companies for this visit.

In accordance with a Determination and Findings issued by the Assistant Secretary for Administration on January 27, 2004, DOSAR 605.202-70 waives the requirement for announcing this procurement in FedBizOps.

The following other vendors were contacted but were not adequate because of the following:

The following companies are also providing large numbers of vehicles and drivers for this visit, however they could not provide the total number of vehicles and drivers required.

Companies contacted:

Edelskov Bus A/S  
Vikingbus  
Allied Teams/ADAMs

7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

The price offer from Copenhagen Limousine Services was the second best bid received. The lowest bidder will receive the largest order but cannot satisfy all the requirements due to capacity limits. Therefore Copenhagen Limousine will fill some of the remaining voids.

As the Competition Advocate at post, I approve this justification:

9/29/09  
Date:

  
Management Officer

### **DETERMINATION OF FAIR AND REASONABLE PRICING**

Contracting Officers must determine that the proposed prices for rental vehicle and driver services are fair and reasonable. A fair and reasonable price is one that a prudent and competent buyer would be willing to pay considering market conditions such as supply and demand, competition, and general economic conditions.

The price of the rental vehicle and driver services is considered fair and reasonable based on the following price analysis

**[x]**    Restricted Competition: The price for rental car and driver services is higher than normal market due to the restricted competition created by unique security needs.

## RESPONSIBILITY DETERMINATION

Contract Number: S-DA200-09-D-0554

Contractor Name: Copenhagen Limousine Service

In accordance with FAR 9.104-1, the contractor is determined to be responsible after consideration of the following:

- (a) Financial Resources. The contractor appears to have adequate financial resources to perform the contract, or the ability to obtain them. This hotel has been a going concern in this country with adequate business.
- (b) Compliance with Performance Schedule. The contractor appears to be able to meet the required performance schedule. Rooms and facilities have been determined to be available and adequate for this event.
- (c) Performance Record. The contractor has a satisfactory record of performance history. Post has used this hotel before or is familiar with the hotel's reputation for performance.
- (d) Integrity. The contractor has a satisfactory record of integrity and business ethics. Post is unaware of any issues relating to integrity or business ethics.
- (e) Organization and Skills. The contractor appears to have the necessary organization, experience, accounting and operational controls, and skills (or the ability to obtain them) to perform this contract.
- (f) Equipment and Facilities. The contractor appears to have the necessary equipment and facilities necessary for this contract, or the ability to obtain them.
- (g) Otherwise Qualified. The contractor is otherwise qualified and eligible to receive an award under applicable laws and regulations. The firm is not found to be on the Excluded Parties List dated 09/29/2009 (identify date).

A. Weygandt  
Contracting Officer Name

A. Weygandt  
Signature

9/29/2009  
Date

J. Narver  
PTS

9/29/09



# EPLS

## Excluded Parties List System



### Search - Current Exclusions

- > Advanced Search
- > Multiple Names
- > Exact Name and SSN/TIN
- > MyEPLS
- > Recent Updates

### View Cause and Treatment Code Descriptions

- > Reciprocal Codes
- > Procurement Codes
- > Nonprocurement Codes

### Agency & Acronym Information

- > Agency Contacts
- > Agency Descriptions
- > State/Country Code Descriptions

### OFFICIAL GOVERNMENT USE ONLY

- > Debar Maintenance
- > Administration
- > Upload Login

### EPLS Search Results

#### Search Results for Parties Excluded by

Partial Name : Copenhagen or Limousine or Service  
Country : DENMARK  
As of 29-Sep-2009 8:08 AM EDT  
Save to MyEPLS

Your search returned no results.

[Back](#) [New Search](#) [Printer-Friendly](#)

### Resources

- > Search Help
- > Public User's Manual
- > FAQ
- > Acronyms
- > Privacy Act Provisions
- > News

### Reports

- > Advanced Reports
- > Recent Updates
- > Dashboard

### Archive Search - Past Exclusions

- > Advanced Archive Search
- > Multiple Names
- > Recent Updates

### Contact Information

- > For Help: Federal Service Desk